

The minutes of a regular meeting of the City Council.

Austin, Texas, April 7, 1890.
Hon. John M. Donald, Mayor, presiding.

Roll (Roll Call - Present - Aldermen - Anderson, Assmann, Carlston, Graham, Jackson, Jones, Linn, Newton, Nitschke, North, Phillips, Platt, Schneider, Ziller - 14.

Call. Absent - Aldermen Boland, Hume, Metz, Morris, Schuber, Townsend - 6.

Boland. Alderman Anderson moved to excuse Alderman Boland on account of sickness. Carried.

Minutes. Alderman Linn moved that the reading of the minutes of the meetings of the City Council which were held on March 3, 7, 28 and 31, and April 3, be dispensed with. Carried.

Alderman North moved that the regular order of business be suspended for the purpose of receiving and considering certain business relative to the pending election and the time of holding regular meetings of the Council. Adopted.

200 copies Australian and. He then introduced a resolution, which was adopted, providing for the publication in pamphlet form of 200 copies of the so called "Australian Ballot Election Ordinance" for distribution to the election officers, the City Council and the police force.

Australian. The resolution further provides that 100 copies of said Ordinance be printed in large type on posters and posted throughout the city, and that the City Clerk provide and distribute and Booths etc. arrange a sufficient number of booths or voting compartments and guard rails for use at said coming election.

Townsend. Alderman Townsend entered the Council and answered to his name.

Council. Alderman North then offered an Ordinance, entitled "An Ordinance repealing 'an Ordinance amending Article 70, Chapter 3, general provisions of the Civil Ordinances of the City of Austin, approved July 17, 1888,' and fixing the times of regular

meetings of the City Council".

It was read first time and under suspension of the rules, a second and third time and passed.

Jesse Watson

On the recommendation of the City marshal and the mayor, the Council remitted the fine and costs assessed in the recorder's Court against Jesse Watson.

R. L. Hood

A protest that was filed in the City Assessor and Collector's office by R. L. Hood when he paid the taxes for 1888 on what is known as Hood Seminary, was presented and read and on motion, the Assessor and Collector was authorized to take credit for the taxes assessed against said property for the year 1889 and to strike the assessment of said property for 1890 from the tax rolls.

Petitions.

Ben Walker

Alderman Platt introduced a petition from Ben Walker asking that found fees paid by him be refunded for certain reasons. Referred to the Committee on Claims and accounts.

Alley.

Alderman Assman offered a petition from the trustees of the St. Martin German Lutheran Church requesting that the alley in block 160, between Brazos street and Congress avenue, be opened for travel. Referred to the Street Committee.

O. C. Mensebach

Sand pit.

Alderman North presented a petition from O. C. Mensebach requesting the City Council to lease to him for ten years the sand pit on the banks of the Colorado river with the exclusive right, except so far as the City of Austin and Travis County and the railroad Company are concerned, to remove and sell sand therefrom for shipment to points beyond Travis County, the City to receive a royalty of 50 Cents for each Car load.

Alderman North also presented a personal letter on the same subject which he had received from the party named.

The petition and letter were referred to a special

Committee of three, with instructions to carefully investigate the question and to submit a full report thereon at the next meeting of the Council. The mayor appointed as such committee Aldermen North, Jones and Kitchko.

Cow's petition Alderman Graham introduced a petition from Citizens living north of Orange Street, asking the Council to exempt that portion of the City from the restrictions imposed by what is known as the "Cow Ordinance".

" Alderman Anderson moved to refer it to the Cemetery Committee. Carried.

Moore, E. S. Alderman Phillips offered a communication from E. S. Moore stating that if the Council will give him exclusive control for one year of the park, just south of block 52, he will plant therein 100 trees. Referred to the park Committee.

Cow's Petition Alderman Graham moved to reconsider the vote by which the petition of Citizens relative to the "Cow Ordinance" was referred to the Cemetery Committee. Adopted.

He then moved that it be received and filed. Carried.

Cow's petition Alderman Assmann introduced a petition from Citizens of the Eastern portion of the Seventh ward requesting that the provisions of the "Cow Ordinance" be extended over that portion of the City.

On motion the petition was received and filed by the following vote: Yeas - Aldermen - Carleton, Jackson Jones, Kitchko, Phillips, Platt, Townsend, Zeller - 8.

Nays - Aldermen - Anderson, Assmann, Graham, Linn, Newton, North, Schneider - 7.

Cow Ord. Alderman Assmann, under suspension of the regular order of business, introduced an Ordinance entitled "An Ordinance to be entitled 'an Ordinance to amend Article 127 of the 'Revised Penal Ordinances of the City of Austin'". It was read and referred to the Ordinance Committee.

Reports of City officers for the month of

March 1890.

Report of the City Physician.
 Patients in Hospital March 1. 8
 " admitted to " in " 3
 " Discharged 11
 " remaining April 1. 12
 Visits made to paupers 112
 Prescriptions written for paupers 100
 Referred to the hospital Committee.

Dexter's Report.
 Deaths 19
 White 12
 Colored 8
 " male 12
 Female 8

Remains of One person from Burnett.
 City Clerk's Report.

Warrants issued \$12,292.30

City Marshal's report.
 Total amount of fines and costs assessed in
 the recorder's Court \$4,311.10
 Collected in Cash \$286.90
 Worked out 74.60
 Escaped 5.70
 Appealed 19.30
 To Travis County 15.20
 Carried forward 29.40
 \$4,311.10

Arrests 112.

Referred to police Committee:

Report of City Treasurer.
 From March 3 to April 7, 1890:
 Balance March 3 \$5,523.90
 Accts. to April 7 15,980.86
 \$21,504.76

Disbursements 13,750.30
 Balance April 7 \$7,754.46

Referred to finance Committee.

Marshal's
 Jan + Feb
 reports.

The police Committee presented reports
 on the marshal's reports for the months
 of January and February, stating they had examined
 said reports and found them correct.

Read and laid over.

Printing.

The committee on printing submitted a report stating they had invited bids, in accordance with the provisions of an Ordinance passed by the Council February 3, 1890, for doing the city newspaper printing until December 1, 1890, and in response thereto received a proposal from The Statesman Publishing Company, stating that said Company would do the printing named, including a synopsis of the minutes of each meeting of the Council, at the rate of two and a half cents per line each insertion, bourgeois measurement. The report recommended that the contract be awarded to The Statesman Publishing Company, there being no other bid, and that the City Clerk begin the publication of a synopsis of the minutes of the meetings of the Council at once. Adopted.

Statesman.

Cart.

The committee on cemetery presented a favorable report on an Ordinance entitled "An Ordinance to authorize the Cemetery Committee to have a cart built, or purchase one, for the City Cemetery and to make an appropriation to pay for the same".

The Ordinance was then taken up on its second reading and read, and under suspension of the rules read a third time and passed.

Unfinished business.

Protection

H. Co.

An Ordinance appropriating the sum of \$3500 for the cost of plans and building for Protection House Company, No. 3, was taken up on its third reading and read. It was then moved that the Ordinance do now pass.

"

Alderman Anderson moved to amend the motion by referring the Ordinance to the finance committee for report at the next meeting as to the condition of the finances of the City at the present time.

The amendment was lost by the following vote - Yeas - Aldermen Anderson, North, Platt, Schvidler & St.

Nays - Aldermen Assmann, Carleton, Graham, Jackson, Jones, Linn, Newton, Nitschke, Phillips, Townsend,

Gillen - 11.

The Ordinance was then passed by the following Vote - 11 Yes - Aldermen Assmann, Carleton, Graham, Jackson, Jones, Linn, Newton, Nitschke, Phillips, Platt, Townsend, Gillen - 11.

Nays - Aldermen - Anderson, North, Schneider - 3.

E. A. Haz. Co.

An Ordinance appropriating the sum of \$500 for the cost of plans and building for East Austin Hose Company, No. 4, was taken up on its third reading and read, after which a motion was made that it do pass, which was lost by the following Vote - 4 Yes - Aldermen - Assmann, Graham, Linn, Newton, Nitschke, Phillips, Platt, Townsend, Gillen - 9. Nays - Aldermen - Anderson, Carleton, Jackson, Jones, North, Schneider, 6.

Roller.

An Ordinance appropriating the sum of \$500 to purchase roller for use on the public streets of the City, was also taken up on its third reading, read and lost by the following Vote - 4 Yes - Aldermen - Assmann, Graham, Linn, Nitschke, Platt, Townsend - 6.

Nays - Aldermen - Anderson, Carleton, Jackson, Jones, Newton, North, Phillips, Schneider, Gillen - 9.

Culvert.

An Ordinance appropriating the sum of \$342.50 for the purpose of building a Culvert on Curme Street, between Eleventh and Twelfth Streets, was taken up on its third reading and read and postponed until the next meeting of the Council.

Cistern.

An Ordinance providing for the repairing of the Cistern at the City Hall, was taken up on its third reading and read and passed.

Delivery of Warrants.

"An Ordinance to prevent the delivery of any City Warrant by the City Clerk to any person who is in default of City taxes or other indebtedness", was taken up on its second reading and read and under suspension of the rules read a third time and passed.

Fire Commo-

Alderman Schneider presented a Communication from the recorder of the fire department stating

- " that the board of fire Commissioners had adopted a resolution requesting the fire Committee of the City Council to secure the passage by the Council of an Ordinance making seven members of the board of fire Commissioners a quorum to transact business.
- " He also introduced "An Ordinance amending Article 265 of Title 8, Chapter 1 of the Revised Civil Ordinances of the City of Austin".
- " The Ordinance was passed under suspension of the rules.

Alderman Platt was excused.

Election. Alderman Kitchik moved that the mayor appoint three tellers to canvass the returns of the firemen's election. Adopted, and the mayor appointed Aldermen North, Phillips and Linn.

While the returns were being canvassed Alderman North introduced a resolution entitled "a resolution authorizing the mayor to release a judgment in favor of the City of Austin against J. H. Patterson for \$500." It was adopted. The tellers then reported as follows:

For Chief:
 Mather. Victor Mather ^{received} 108 votes.

For Assistant Chief:
 Schneider. Albert Schneider received 58 votes
 Randolph. J. D. Randolph received 52 votes.
 F. E. Jones received 1 vote.

For Recorder:
 Boerner. L. Boerner received 106 votes.

" The mayor then declared Victor Mather, Albert Schneider and L. Boerner duly elected Chief, assistant Chief and recorder, respectively, of the Austin fire department for the ensuing year.

appd accts. Alderman Schneider introduced an Ordinance appropriating the sum of, \$836.07 for the purpose of paying approved accounts. It was read first time, and under suspension of the rules a second time, after which Alderman North moved to amend the caption and section 1 by adding the sum of \$58.67 to reimburse R. W. Flood for taxes of

Hood

1888 paid on Hood Seminary. Adopted.

The Ordinance was then read a third time under suspension of the rules and passed by the following Vote - Yeas - Aldermen -

Anderson, Assmann, Carleton, Graham, Jackson, Jones, Linn, Newton, Kitchie, North, Phillips, Schneider, Townsend, Zeller - 14.

Cemetery

Alderman Zeller introduced an Ordinance entitled "An Ordinance to be entitled an Ordinance to authorize the mayor and Committee on Cemetery to purchase land within the limits of the City of Austin to be used for burial purposes and to make appropriation for the purchase money thereof." It was read first time and under suspension of the rules a second time after which Alderman Schneider moved to amend Section 1 so as to make the land saleable to Colored people. Adopted.

A motion was then made to suspend the rules and place the Ordinance on its third reading, which was lost by the following Vote -

Yeas - Aldermen - Assmann, Carleton, Graham, Jackson, Linn, Newton, Kitchie, North, Schneider, Townsend, Zeller - 11.

Nays - Aldermen - Anderson, Jones, Phillips, 3.
The Council then adjourned

Milton Morris,
City Clerk.